



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/633,933	08/04/2003	Michael A. Bass	16223-00037	4951

33772 7590 05/03/2010  
MCDONALD HOPKINS LLC  
600 Superior Avenue, East  
Suite 2100  
CLEVELAND, OH 44114-2653

EXAMINER
----------

BECKER, SHASHI KAMALA

ART UNIT	PAPER NUMBER
----------	--------------

2179

MAIL DATE	DELIVERY MODE
-----------	---------------

05/03/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/633,933	<b>Applicant(s)</b> BASS ET AL.	
	<b>Examiner</b> Shashi K. Becker	<b>Art Unit</b> 2179	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 09 April 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,3-19 and 21-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-19 and 21-34 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>7/27/09</u> .   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114.

Applicant's submission filed on 4/9/10 has been entered.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of

Art Unit: 2179

35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. **Claims 1, 16, 19, 21- 23, 26, 28, 29, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cimino et al (hereinafter Cimino) US Patent 5127532 in view of Teratani et al (hereinafter Teratani) US Patent 5517299.**

\* **In regards to claims 1 and 19**, Cimino teaches an interactive object identification system comprising; interactive user interface means a first object into at least one input field of a plurality of input fields (column 2 lines 43-61, wherein when the user manually inputs the physical key wherein the profile of the key is the specified variable and the first object is the key, wherein the input field is the key profile information input into the database memory which then searches through a plurality of input fields of information to match the key blank), wherein at least one of said plurality of input fields in the interactive user interface means includes at least one specified variable (column 2 lines 43-61, wherein the lensing system illuminates the front of the key to form a cross-sectional image for the video system to convert to a digital image as the cross-sectional image taken is the manual input of the first object), said specified variable being known or physically observed based upon a visual inspection of the object (column 2 lines 43-61, wherein the lensing system illuminates the front of the key to form a cross-sectional image for the video system to convert to a digital image) by a user of the system (column 1 lines 22-33); database means for matching a master object

Art Unit: 2179

through comparison of known values in response to the specified variable (column 1 lines 22-33 and column 2 lines 43-61). Cimino further teaches a display rack for holding a physical set of master objects and an indicator for distinguishing the identified master object from the physical set of master objects (column 5 lines 36-43). However, Cimino does not specifically teach for manually typing at least one specified variable that is an intended use of a first object, and a specified variable manually typed into the interactive user interface means.

Teratani teaches an apparatus and method for examining key plates. Teratani further teaches teach for manually typing at least one specified variable that is an intended use of a first object, and a specified variable manually typed into the interactive user interface means (column 8 lines 1-15). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Cimino to include the teachings of Titus in order to manually input a variable of the object into the interactive user interface means. One would have been motivated to make such a combination in order to retrieve form information relating to key dimensions (column 8 lines 1-15).

• **In regards to claims 16 and 26**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further teaches further comprising verification means for confirming that the identified master object physically provided to the user matches the information about the identified master object presented to the user (column 1 lines 22-33).

**In regards to claim 21**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further suggests wherein said indicator comprises a series of lights wherein a single light indicative of the identified master object is selectively illuminated (column 5 lines 36-43).

· **In regards to claim 22**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further suggests wherein the indicator further comprises: (i) at least one shift register operatively associated with the series of lights and (ii) means for selectively adjusting the output signal to be compatible with the shift register (column 5 lines 36-43).

· **In regards to claims 23 and 29**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further teaches wherein the identified master object comprises a key blank (column 2 lines 22-33).

· **In regards to claim 28**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further teaches further comprising key replication means for creating a duplicate copy of the first object (column 1 lines 22-33).

· **In regards to claim 32**, Cimino teaches the limitations above (see claims 1 and 19). Cimino further teaches wherein the computer is selected from the group consisting of: a personal computer, a personal digital assistant, a hand-held computing device and a miniaturized, embedded computer having an integrated and abbreviated alphanumeric display (column 2 lines 43-61).

Art Unit: 2179

2. **Claims 3, 4, 14, 17, 25, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cimino et al (hereinafter Cimino) US Patent 5127532 in view of Teratani et al (hereinafter Teratani) US Patent 5517299, in further view of Titus et al (hereinafter Titus) US Patent 6406227.**

\* **In regards to claims 3 and 14**, Cimino and Teratani teach the limitations above (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach tracking means for recording and monitoring variables related to utilization of the system.

Titus teaches a key measurement apparatus and method. Titus further teaches tracking means for recording and monitoring variables related to utilization of the system (column 13 lines 46-55). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Cimino and Teratani to include the teachings of Titus in order to record and monitor variables of the system. One would have been motivated to make such a combination in order to keep an inventory of each key profile and the machine's maintenance status log (column 13 lines 46-55).

\* **In regards to claim 4**, Cimino and Teratani teach the limitations above (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach wherein the variables recorded and monitored by the tracking include information related to inventory levels for at least one item selected from the group consisting of: the identified master object and at least a portion of the set of other objects.

Art Unit: 2179

Titus teaches a key measurement apparatus and method. Titus further teaches wherein the variables recorded and monitored by the tracking include information related to inventory levels for at least one item selected from the group consisting of: the identified master object and at least a portion of the set of other objects (column 13 lines 46-55). It would have been obvious for the reasons stated above (see claims 3 and 14).

\* **In regards to claims 17 and 27**, Cimino and Teratani teach the limitations above (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach wherein the verification means includes at least one item selected from the group consisting of: a machine vision system and a radio frequency identification system.

Titus teaches a key measurement apparatus and method. Titus further teaches wherein the verification means includes at least one item selected from the group consisting of: a machine vision system and a radio frequency identification system (column 18 lines 45-57). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Cimino and Teratani to include the teachings of Titus in order to verify the identified master object. One would have been motivated to make such a combination in order to verify different key profiles and inventory them for the user's reference (column 18 lines 45-57).

· **In regards to claim 25**, Cimino and Teratani teach the limitations above (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani



Art Unit: 2179

do not specifically teach further comprising a means for tracking inventory levels of the set of possible key blanks, said means for tracking operatively associated with the computer.

Titus teaches a key measurement apparatus and method. Titus further teaches further comprising a means for tracking inventory levels of the set of possible key blanks, said means for tracking operatively associated with the computer.

(column 18 lines 45-57). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the method and apparatus of Cimino and Teratani to include the teachings of Titus in order to track key profiles. One would have been motivated to make such a combination in order to verify different key profiles and inventory them for the user's reference (column 18 lines 45-57).

**3. Claims 5, 6, 13, 18, 30, 31, 33, and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cimino, and Teratani in further view of Palaniappan US Patent 6711557.**

- In regards to claim 5, Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach further comprising means for selectively updating elements of the system utilizing a computerized network.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches selectively updating elements of the system utilizing a computerized network (column 3 line 52-column 4 line 25). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the

Art Unit: 2179

method and apparatus of Cimino and Teratani to include the teachings of Palaniappan in order update elements over a computer network. One would have been motivated to make such a combination in order update elements of the system a computer network by the product itself notifying the user (column 1 lines 55-65).

- In regards to claim 6, Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach further comprising a plurality of user interface means connected to the database means via a computerized network.

Palaniappan teaches client-based background update monitoring Palaniappan further teaches further comprising a plurality of user interface means connected to the database means via a computerized network (column 3 line 52-column 4 line 25). It would have been obvious for the reasons stated above (see claim 5).

- In regards to claim 13, Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). Cimino further teaches wherein the identified master object comprises a key blank (column 2 lines 22-33).

- In regards to claims 18 and 30, Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach further comprising user help means for providing the user with assistance in operating the system.

Art Unit: 2179

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches further comprising user help means for providing the user with assistance in operating the system (column 3 lines 13-42). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify the teachings of Cimino and Teratani to include the teachings of Palaniappan in order to provide assistance to the user with the operating system. One would have been motivated to make this combination in order to provide help to the user in learning the system.

- In regards to claim 31, Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach further comprising a means for recording and selectively retrieving a historical log of information about the user or the operation of the system, said means for recording and selectively retrieving a historical log operatively associated with the computer.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches further comprising a means for recording and selectively retrieving a historical log of information about the user or the operation of the system, said means for recording and selectively retrieving a historical log operatively associated with the computer (column 5 lines 8-15). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify the teachings of Cimino and Teratani to include the teachings of Palaniappan in order to historically log information about the operation of the

Art Unit: 2179

system. One would have been motivated to make this combination in order to keep track of what applications are participating in the automatic updating scheme (column 5 lines 8-15).

- **In regards to claim 33**, Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach wherein the system operates over a computerized network.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches wherein the system operates over a computerized network (column 3 line 52-column 4 line 25). It would have been obvious for the reasons stated above (see claim 5).

- **In regards to claim 34** Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach wherein the database is selectively updated via the computerized network and wherein the computerized network is selected from the group consisting of: a local area network, a wide area network and the internet.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches wherein the database is selectively updated via the computerized network and wherein the computerized network is selected from the group consisting of: a local area network, a wide area network and the internet (column

Art Unit: 2179

3 line 52-column 4 line 25). It would have been obvious for the reasons stated above (see claim 5).

**4. Claims 7-12 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cimino, Teratani and Titus, in further view of Palaniappan US Patent 6711557.**

- In regards to claim 7, Cimino, Teratani and Titus teach the above limitations (see claims 3, 4, 14, 17, 25, and 27). However Cimino, Teratani and Titus do not specifically teach further comprising means for selectively updating elements of the system utilizing a computerized network.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches selectively updating elements of the system utilizing a computerized network (column 3 line 52-column 4 line 25). It would have been obvious for the reason stated above (see claim 5).

- In regards to claim 8, Cimino, Teratani and Titus teach the above limitations (see claims 3, 4, 14, 17, 25, and 27). However Cimino, Teratani and Titus do not specifically teach further comprising a plurality of user interface means connected to the database means via a computerized network.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches further comprising a plurality of user interface means connected to the database means via a computerized network (column 3 line 52-column 4 line 25). It would have been obvious for the reasons stated above (see claim 5).

Art Unit: 2179

- In regards to claims 9 and 15, Cimino, Teratani and Titus teach the above limitations (see claims 3, 4, 14, 17, 25, and 27). However Cimino, Teratani and Titus do not specifically teach wherein the tracking means transmits the variables related to utilization of the system over a computerized network.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches wherein the tracking means transmits the variables related to utilization of the system over a computerized network (column 3 line 52-column 4 line 25). It would have been obvious for the reasons stated above (see claim 5).

- In regards to claim 10, Cimino, Teratani and Titus teach the above limitations (see claims 3, 4, 14, 17, 25, and 27). However Cimino, Teratani and Titus do not specifically teach further comprising user help means for providing the user with assistance in operating the system.

Palaniappan teaches client-based background update monitoring. Palaniappan further teaches further comprising user help means for providing the user with assistance in operating the system (column 3 lines 13-42). It would have been obvious for one of ordinary skill in the art at the time of the invention to modify the teachings of Cimino, Teratani and Titus to include the teachings of Palaniappan in order to provide assistance to the user with the operating system. One would have been motivated to make this combination in order to provide help to the user in learning the system.

Art Unit: 2179

- In regards to claim 11, Cimino, Teratani and Titus teach the above limitations (see claims 3, 4, 14, 17, 25, and 27). Cimino further teaches further comprising verification means for confirming that the identified master object physically provided to the user matches the information about the identified master object presented to the user (column 1 lines 22-33).

- In regards to claim 12, Cimino, Teratani and Titus teach the above limitations (see claims 3, 4, 14, 17, 25, and 27). Cimino further teaches wherein the identified master object comprises a key blank (column 2 lines 22-33).

**5. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cimino and Teratani in view of Almblad et al (hereinafter Almblad), US Patent 60605911.**

Cimino and Teratani teach the above limitations (see claims 1, 16, 19, 21- 23, 26, 28, 29, and 32). However Cimino and Teratani do not specifically teach further comprising an automated means for restocking at least selected portions of the set of possible key blanks, said automated means for restocking operatively associated with the computer.

Almblad teaches a method and apparatus for automatically making keys.

Almblad further teaches an automated means for restocking at least selected portions of the set of possible key blanks, said automated means for restocking operatively associated with the computer (column 31 lines 54-65). It would have been obvious to one of ordinary skill in the art at the time of the invention to

Art Unit: 2179

modify the method and apparatus of Cimino and Teratani to include automatic restocking of key blanks in order to make a more efficient machine. One would have been motivated to make such a combination in order to create a human interaction free machine and make the process more effective.

### ***Response to Arguments***

Applicant's arguments with respect to claims 1, 3-19, and 21-34 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shashi K. Becker whose telephone number is 571-272-8919. The examiner can normally be reached on Mon-Fri 8:30-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2179

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SARA ENGLAND/  
Primary Examiner, Art Unit 2179

/Shashi K Becker/  
Examiner, Art Unit 2179